

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

RIVERPARK ON THE BRAZOS §  
PROPERTY OWNERS ASSOCIATION, INC., §  
*Plaintiff* §  
§  
v. § CIVIL ACTION NO. 4:10-cv-05234  
§  
ACE AMERICAN INSURANCE COMPANY, §  
CRAWFORD & COMPANY, AND §  
CHARLES A. RUSCHER, §  
*Defendants* §

**STIPULATION OF DISMISSAL WITH PREJUDICE**

Plaintiff RIVERPARK ON THE BRAZOS PROPERTY OWNERS ASSOCIATION, INC. and Defendant ACE AMERICAN INSURANCE COMPANY, CRAWFORD & COMPANY, AND CHARLES A. RUSCHER file this Stipulation of Dismissal pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, and in so filing, respectfully show the Court as follows:

1. On or about December 3, 2010, Plaintiff filed its Original Petition against Defendants in the 400<sup>th</sup> Judicial District Court of Fort Bend County, Texas under Cause Number 11-DCV-187307. Defendant ACE AMERICAN INSURANCE COMPANY removed this lawsuit to this Court on or about December 30, 2010.

2. Plaintiff seeks to dismiss its claims against Defendants CRAWFORD & COMPANY and CHARLES A. RUSCHER only. This dismissal will not affect Plaintiff's claims against Defendant ACE AMERICAN INSURANCE COMPANY. All Defendants agree to the dismissal.

3. This case is not a class action.

4. A receiver has not been appointed in this case.

5. This case is not governed by any federal statute that requires a court order for dismissal of the case.

6. Plaintiff has not previously dismissed any federal or state-court suit based on or including the same claims as those presented in this case.

7. This dismissal is with prejudice against re-filing.

Respectfully submitted,

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